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13 Plaintiffs Clarke and Rebecca Wixon and
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15 [Additional counsel appear on signature page]

16 **UNITED STATES DISTRICT COURT**
17
NORTHERN DISTRICT OF CALIFORNIA

18 Clarke and Rebecca Wixon and Norman
19 and Barbara Wixon, derivatively and on behalf of
20 themselves and all others similarly situated,

21 Plaintiffs,

22 v.

23 Wyndham Resort Development Corp. (f/k/a
24 Trendwest Resorts, Inc.), Gene Hensley, David
25 Herrick, John Henley, Peggy Fry and John
26 McConnell, and nominally, WorldMark, The
27 Club,

28 Defendants.

Case No. C 07-02361 JSW (BZ)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO WYNDHAM RESORT
DEVELOPMENT CORPORATION'S
INTERROGATORIES**

CLASS AND DERIVATIVE ACTION

1 WHEREAS the Court, on April 15, 2009, entered its order, *inter alia*, directing that Plaintiffs
2 Clarke and Rebecca Wixon and Norman and Barbara Wixon (collectively, "Plaintiffs") provide further
3 responses to Defendant Wyndham Resort Development Corporation's ("Wyndham") Interrogatories
4 Nos. 7, 9, 10 and 11 ("Wyndham's Interrogatories") within 60 days after the Court's ruling on
5 Plaintiffs' motion for class certification (Dkt. No. 241);

6 WHEREAS the Court, on October 19, 2009, entered its Order Granting in Part and Denying in
7 Part Plaintiffs' Motion for Class Certification (Dkt. No. 420);

8 WHEREAS, in accordance with the Court's April 15, 2009 order, Plaintiffs' further responses
9 to Wyndham's Interrogatories are due on December 18, 2009;

10 WHEREAS, the parties are discussing methods for resolving this litigation, with assistance from
11 the Honorable William J. Cahill (Ret.) of JAMS; and

12 WHEREAS, Plaintiffs have requested and Wyndham has agreed to a limited extension of the
13 date by which Plaintiffs' further responses shall be provided;

14 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Wyndham, by
15 and through their respective counsel, that, subject to the approval of the Court, Plaintiffs shall respond
16 fully in writing to Wyndham's Interrogatories, and serve said responses by email and U.S. mail by
17 close of business Pacific Standard Time on January 14, 2010, rather than December 18, 2009.

1 Dated: December 17, 2009

Respectfully submitted,

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3 **GIRARD GIBBS LLP**

4 By: /s/ *Elizabeth C. Pritzker*

Elizabeth C. Pritzker

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18
19 *Attorneys for Individual and Representative Plaintiffs Clarke*
20 *and Rebecca Wixon and Norman and Barbara Wixon*

1 Dated: December 17, 2009

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19 *Attorneys for Defendant Wyndham Resort
20 Development Corporation*

21 ~~[PROPOSED]~~ ORDER

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: December 17, 2009

24 
25 The Honorable Bernard Zimmerman
26 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, Elizabeth C. Pritzker, hereby certify that on December 17, 2009, I filed the following document(s):

1. STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO WYNDHAM RESORT DEVELOPMENT CORPORATION'S INTERROGATORIES

By ECF (Electronic Case Filing): I e-filed the above-detailed document utilizing the United States District Court, Northern District of California's mandated ECF service on December 17, 2009. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing.

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Francisco, CA on December 17, 2009.

/S/ *Elizabeth C. Pritzker*